

**Sent To Governor****(February 26, 1975)****S.B. 68****TWENTY-SEVENTH DAY**  
**(Thursday, February 27, 1975)**

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

A quorum was announced present.

The Reverend Michael Cox, First Baptist Church, Burnet, Texas, offered the invocation as follows:

We are grateful dear God for people who care about others. We pray for those who make decisions that affect our lives as well as the lives of the generations to come. Give them wisdom to see clearly, the patience to listen, the strength to be firm, the understanding to know the result, and the concern that comes from love. We recognize that we are Your children and that You have purpose and direction for our individual lives as well as the welfare of our state. Help us to seek Thy will for each issue and allow us to put pettiness aside that each of these might be servants in a true sense. In Christ's name. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**REPORTS OF STANDING COMMITTEES**

Senator Sherman submitted the following reports for the Committee on Natural Resources:

**H.C.R. 35****C.S.S.B. 150 (Read first time)****C.S.S.J.R. 34 (Read first time)****S.B. 148****S.B. 149**

**S.B. 151**  
**S.B. 156**  
**S.B. 211**

Senator Aikin submitted the following reports for the Committee on Finance:

**H.B. 661**  
**S.B. 275**  
**S.B. 67**

Senator Moore submitted the following reports for the Committee on State Affairs:

**S.B. 408**  
**S.B. 356**  
**S.B. 377**

Senator Adams submitted the following reports for the Committee on Administration:

**S.B. 378** (Amended)  
**S.R. 172**

Senator Snelson submitted the following reports for the Committee on Intergovernmental Relations:

**S.B. 243** (Amended)  
**S.B. 269**  
**S.B. 400**  
**S.B. 215** (Amended)

#### MESSAGE FROM THE HOUSE

Hall of the House of Representatives  
Austin, Texas, February 27, 1975

Honorable William P. Hobby  
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

**S.B. 14**, A bill to be entitled An Act providing for the composition of a Webb County Juvenile Board, its powers and its duties and compensation of Board Members. (With amendment)

**H.C.R. 28**, In memory of R. E. McGee.

**H.C.R. 31**, Declaring the first day of spring as "Mockingbird Day."

**H.C.R. 43**, In memory of Garwood Jennings Gerdes.

**H.B. 471**, A bill to be entitled An Act relating to the authority of savings and loan associations to act as trustees or custodians under self-employed retirement plans authorized by federal law; amending Section 4.05, Texas Savings and Loan Act (Article

852a, Vernon's Texas Civil Statutes); and declaring an emergency.

**H.B. 524**, A bill to be entitled An Act relating to the divestiture of real or personal property on divorce or annulment; amending Section 3.63, Family Code; and declaring an emergency.

**H.C.R. 63**, Commending former Representative Hilary Doran for exceptional legislative service.

**H.C.R. 66**, In memory of former Representative Joe Shannon, Sr.

**H.B. 353**, A bill to be entitled An Act creating the County Court at Law of Nacogdoches County; making other provisions relative to the court; relating to the jurisdiction of the County Court of Nacogdoches County; and declaring an emergency.

**H.B. 513**, A bill to be entitled An Act relating to the compensation paid from county funds to the district judges of the 10th, 56th, 122nd, and 212th District Courts in Galveston County for services rendered to the county; amending Section 1, Chapter 41, Acts of the 57th Legislature, Regular Session, 1961, as amended (Article 6819a-28, Vernon's Texas Civil Statutes); and declaring an emergency.

Respectfully submitted,  
DOROTHY HALLMAN  
Chief Clerk, House of Representatives

(Senator Aikin in Chair)

#### SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

By Senator Harris:

**S.B. 467**, A bill to be entitled An Act amending Article 3.40 of the Insurance Code, as heretofore amended, to permit insurance companies to acquire, secure, hold and retain producing mineral interests under conditions set out in Section 5; restating the remainder of Article 3.40 in its entirety, as last amended with no further change whatsoever; repealing all laws in conflict therewith; and declaring an emergency.

To Committee on Economic Development.

By Senator Harris:

**S.B. 468**, A bill to be entitled An Act amending Chapter Three of the Texas Insurance Code (Acts 1951, 52nd Legislature, Chapter 491, as amended) by adding to Subsection 10 of Section A of Part I of Article 3.39 authority for a domestic life insurance company to invest its funds and accumulations in certain obligations of corporations meeting specified requirements; and declaring an emergency.

To Committee on Economic Development.

By Senator Meier:

**S.B. 469**, A bill to be entitled An Act relating to the licensing and regulation of convalescent and nursing homes and related institutions by the State Department of Public Welfare; amending Subsection (d) of Section 2 and Section 9, Chapter 413, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 4442c, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on State Affairs.

By Senator Braecklein:

**S.B. 470**, A bill to be entitled An Act relating to the importation and taxation of liquor bottled in containers sized under the metric system; adding a Section 21e to Article I, Texas Liquor Control Act, as amended (Article 666-1 et seq., Vernon's Texas Penal Code); and declaring an emergency.

To Committee on State Affairs.

By Senator Braecklein:

**S.B. 471**, A bill to be entitled An Act relating to the exemption from bonding requirements of holders of Non-resident Seller's Permits and Manufacturer's Agent's Permits; amending Section 16, Article I, Texas Liquor Control Act, as amended (Article 666-16, Vernon's Texas Penal Code); and declaring an emergency.

To Committee on State Affairs.

By Senator Schwartz:

**S.B. 472**, A bill to be entitled An Act relating to the importance of the Gulf Intracoastal Waterway, and providing for the administration by the State of Texas of non-federal sponsorship requirements to the future maintenance and improvement of the waterway; and declaring an emergency.

To Committee on State Affairs.

By Senator Hance:

**S.B. 473**, A bill to be entitled An Act relating to property and services a school district may contract for without competitive bids; amending Subsections (a) and (b), Section 21.901, Texas Education Code, and adding Subsection (e); and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Hance:

**S.B. 474**, A bill to be entitled An Act relating to the definition of textbooks for public school students; amending Section 12.01, Texas Education Code, by adding Subsection (c); and declaring an emergency.

To Committee on Education.

By Senator Schwartz:

**S.B. 475**, A bill to be entitled An Act relating to the taxes imposed on receipts from fees for admissions; providing for repeal of Chapter 21, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended; providing an effective date; and declaring an emergency.

To Committee on Finance.

By Senator Schwartz:

**S.B. 476**, A bill to be entitled An Act relating to the places where the Thirteenth Supreme Judicial District may transact business; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Patman:

**S.B. 477**, A bill to be entitled An Act relating to providing financial assistance for computer information services through regional education service centers; amending Subsections (d) and (f), Section 11.33, Texas Education Code, as amended; and declaring an emergency.

To Committee on Education.

By Senators Mauzy, Braecklein and Longoria:

**S.B. 478**, A bill to be entitled An Act relating to public school education; amending the Texas Education Code as follows: Revising Chapter 16; amending Chapter 21 by adding Subchapter M; amending Subchapter A of Chapter 21 by adding Section 21.008; amending Subchapter H of Chapter 19 by adding Sections 19.246 and 19.247; amending Subchapter F of Chapter 21 by adding Section 21.1611; amending Subchapter Z of Chapter 21 by adding Section 21.913; amending Subsection (c) of Section 15.01, Subsection (j) of Section 11.32, and Subsection (c) of Section 11.33, as amended; repealing Subsection (b) of Section 21.460; and declaring an emergency. (Submitted by Governor as emergency.)

To Committee on Education.

By Senator Mauzy:

**S.B. 479**, A bill to be entitled An Act relating to the incorporation of certain sections of the general workmen's compensation law into the workmen's compensation provisions for employees of political subdivisions; amending Subsection (a), Section 3, Article 8309h, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Adams:

**S.B. 480**, A bill to be entitled An Act authorizing the State Board of Control to establish and administer a parking program for state employees and officials within the permanent parking facilities owned by the State and located in the Capitol Complex area and under the management and control of the Board of Control; authorizing the establishment of rules and regulations necessary for the administration of such parking program, including the authority to establish and collect a reasonable monthly parking charge for each assigned parking space within the facilities; creating a special fund in the State Treasury for the deposit of parking charges collected and authorizing expenditures for maintenance and operating costs incurred in administering such parking program; and declaring an emergency.

To Committee on Administration.

By Senators Traeger and Mengden:

**S.B. 481**, A bill to be entitled An Act authorizing a physician, staff member, or employee of a hospital to refrain on moral or religious grounds from participating in an abortion without penalty; prohibiting discrimination in hiring on grounds of objection to abortion; and declaring an emergency.

To Committee on Human Resources.

By Senator Longoria:

**S.B. 482**, A bill to be entitled An Act relating to the gathering of statistical information concerning the performance of abortions in the state; and declaring an emergency.

To Committee on Human Resources.

By Senator Longoria:

**S.B. 483**, A bill to be entitled An Act relating to the establishment of a grant program for construction of migrant labor camps to be administered by the State Department of Health; and declaring an emergency.

To Committee on State Affairs.

By Senator Farabee:

**S.B. 484**, A bill to be entitled An Act relating to the adoption, filing, and publication of rules of certain agencies; repealing Chapter 274, Acts of the 57th Legislature, Regular Session, 1961, as amended (Article 6252-13, Vernon's Texas Civil

Statutes); and declaring an emergency.

To Committee on State Affairs.

By Senator Farabee:

**S.B. 485**, A bill to be entitled An Act relating to notices of certain meetings that are open to the public; amending Subsection (h), Section 3A, Chapter 271, Acts of the 60th Legislature, Regular Session, 1967, as amended (Article 6252-17, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on State Affairs.

By Senator Creighton:

**S.B. 486**, A bill to be entitled An Act relating to sale and purchase of excess acreage of a titled or patented survey of public land; amending Section 4, Chapter 3, Acts of the 46th Legislature, Regular Session, General Laws, 1939 (Article 5421c-1, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on State Affairs.

By Senator Mengden:

**S.B. 487**, A bill to be entitled An Act relating to the unauthorized importing or wholesaling of opium or heroin; defining offenses; creating penalties; amending the Texas Controlled Substances Act (Article 4476-15, Vernon's Texas Civil Statutes), by adding Section 4.031; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Mengden:

**S.B. 488**, A bill to be entitled An Act relating to the payment of rewards to persons who provide information leading to arrest and conviction of certain drug offenders; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Mengden:

**S.B. 489**, A bill to be entitled An Act relating to the power of certain cities and towns to annex certain adjacent territory; amending Article 974, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Jones:

**S.B. 490**, A bill to be entitled An Act relating to coverage of mutual insurance companies under the Texas Non-Profit Corporation Act; amending Chapter 15, Insurance Code, as amended by adding Article 15.05-A; and declaring an emergency.

To Committee on Economic Development.

By Senators Schwartz, Gammage, Creighton and Adams:

**S.B. 491**, A bill to be entitled An Act relating to amendment of the Insurance Code to establish a joint underwriting association for the writing of medical liability insurance in Texas and providing for the plan of operation of the association; requiring all insurers authorized to write personal injury liability insurance in Texas to participate; providing for approval of forms and rates by the State Insurance Board; providing a procedure for appeals; requiring the association to file annual statements and to be examined annually; providing an effective date; and declaring an emergency. (Submitted by Governor as an emergency.)

To Committee on Economic Development.

By Senator Gammage:

**S.B. 492**, A bill to be entitled An Act relating to fees charged by the General Land Office; amending Article 3918, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

To Committee on State Affairs.

By Senator Williams:

**S.J.R. 40**, Proposing a constitutional amendment authorizing the legislature to exempt from property taxes classes of real property owned and used by certain veterans' organizations.

To Committee on Texas Constitution.

By Senator Longoria:

**S.J.R. 41**, Proposing an amendment to Article III, of the Texas Constitution, to permit the state to provide grants for the construction of migrant labor camps.

To Committee on Texas Constitution.

(President in the Chair)

#### SENATE RESOLUTION 230

Senator Adams offered the following resolution:

WHEREAS, A man who acquires friends easier than most of us make acquaintances; one who is so knowledgeable concerning the legislative process and parliamentary procedure that his counsel is sought at all levels of government; a person who is always willing to go that extra mile to ease the way for anyone needing assistance: all these phrases describe Robert E. (Bob) Johnson, present Parliamentarian and former Member of the Texas House of Representatives; and

WHEREAS, Before donning his two hats as Parliamentarian of the Texas House of Representatives and Executive Director of the Texas Legislative Council, Bob (for who, knowing him, would ever call him the more formal Robert, or even Mr. Johnson?) served in the House of Representatives from Dallas for nearly eight years, beginning in 1957. He has now served as House Parliamentarian since 1965 and Executive Director of the Texas Legislative Council since 1963; and

WHEREAS, The last ten days during his absence from the Capitol and legislative halls because of serious illness have intensified the love and devotion, the respect and admiration which all in the legislative family hold for Bob; and

WHEREAS, Members of the Senate of the State of Texas wish to express to Bob Johnson in the too small measure of words our deep appreciation to him and affection for him along with our good wishes for his speedy recovery; now, therefore, be it

RESOLVED, That the Senate of the 64th Legislature of the State of Texas hereby commend Robert E. (Bob) Johnson, Parliamentarian of the Texas House of Representatives and Executive Director of the Texas Legislative Council, for exemplary service, and extend to him the good wishes that each and every member of the Senate of Texas holds for his complete and rapid recovery; and, be it further

RESOLVED, That an official copy of this resolution be prepared for Bob as a symbol of the friendship and admiration which members of the Senate of Texas feel for him.

The resolution was read.

On motion of Senator Aikin and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Adams, the resolution was adopted.

**SENATE CONCURRENT RESOLUTION 26 ON SECOND READING**

Senator Lombardino offered the following resolution:

**S.C.R. 26**, Paying tribute to Don Jose Antonio Navarro and designating Don Jose Antonio Navarro Week in Texas.

LOMBARDINO  
LONGORIA  
KOTHMANN  
TRAEGER  
SANTIESTEBAN  
CLOWER

The resolution was read.

On motion of Senator Clower and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Lombardino and by unanimous consent, the resolution was considered immediately and adopted.

Senator Lombardino then introduced as Guests of the Senate the descendants of Don Jose Antonio Navarro.

**HOUSE BILLS ON FIRST READING**

The following bills received from the House, were read the first time and referred to the Committees indicated:

**H.B. 471**, To Committee on Economic Development.  
**H.B. 524**, To Committee on Jurisprudence.  
**H.B. 353**, To Committee on Intergovernmental Relations.  
**H.B. 513**, To Committee on Intergovernmental Relations.

**RESOLUTION SIGNED**

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled resolution:

**H.C.R. 62**

**MESSAGES FROM THE GOVERNOR**

The following Message from the Governor was read and was referred to the Committee on State Affairs, Sub-Committee on Nominations.

Austin, Texas  
February 27, 1975

TO THE SENATE OF THE SIXTY-FOURTH LEGISLATURE, REGULAR  
SESSION:



I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Members of the Texas Industrial Commission: For a six-year term to expire February 15, 1981: Mr. L. T. Faircloth of Carrollton, Dallas County is replacing Mr. C. L. Cooke of Fort Worth, Tarrant County whose term expired; Mr. Sam C. Naifeh of Orange, Orange County is replacing Mr. Lloyd L. Davis of Plainview, Hale County whose term expired; Mr. Charles Truett Smith of Wylie, Collin County is being reappointed.

Respectfully submitted,  
DOLPH BRISCOE  
Governor of Texas

The following Message from the Governor was read and filed with the Secretary of the Senate:

February 27, 1975

The Honorable William P. Hobby  
Lieutenant Governor  
President of the Senate  
Austin, Texas

The Honorable Bill Clayton  
Speaker of the House of Representatives  
Austin, Texas

Honorable Members of the Legislature  
Austin, Texas

Honorable Lieutenant Governor, Honorable Speaker and  
Honorable Members of the Legislature:

Today I am submitting as an emergency matter the accompanying measure under the provisions of Article III, Section 5, of the Constitution of the State of Texas.

I urge your prompt consideration and enactment of this measure.

Respectfully submitted,  
DOLPH BRISCOE  
Governor of Texas

Austin, Texas  
February 27, 1975

**TO THE MEMBERS OF THE SIXTY-FOURTH LEGISLATURE, REGULAR  
SESSION:**

Pursuant to the provisions of Section 5, Article III of the Constitution of the State of Texas, I herewith submit as an emergency matter the following:

The issue of public school finance and the reform of public school laws in Texas.

Respectfully submitted,  
DOLPH BRISCOE  
Governor of Texas

### SENATE BILL 216 REREFERRED

On motion of Senator Andujar and by unanimous consent, **S.B. 216** was withdrawn from the Committee on State Affairs and rereferred to the Committee on Education.

### EXECUTIVE SESSION

The President announced that the time had arrived for an Executive Session of the Senate. (Senator McKinnon having given notice on yesterday).

Senator Mauzy moved that Senate Rule 41 be suspended in order to consider nominations scheduled for today in open session.

The motion was lost by the following vote: Yeas 13, Nays 18.

Yeas: Aikin, Braecklein, Brooks, Clower, Doggett, Gammage, Harrington, Longoria, Mauzy, McKnight, Patman, Schwartz and Sherman.

Nays: Adams, Andujar, Creighton, Farabee, Hance, Harris, Jones, Kothmann, Lombardino, McKinnon, Meier, Mengden, Moore, Ogg, Santiesteban, Snelson, Traeger and Williams.

Accordingly, the President at 11:00 o'clock a.m. directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session, the President called the Senate to order As In Legislative Session at 11:26 o'clock a.m. today.

Senator McKinnon moved confirmation of the nominees reported by the Committee on State Affairs, Sub-Committee on Nominations and considered in Executive Session.

The President asked if there were motions to sever nominees.

On motion of Senator Ogg and by unanimous consent, the nominations of J. H. Jemison and Frank Joseph to the Texas Cosmetology Commission were severed.

The following nominees were then confirmed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

### NOMINEES CONFIRMED

Member, Veterans Affairs Commission: For a six-year term to expire December 31, 1979: Dr. James W. White of Houston, Harris County is replacing Mr.

J. Walter Janko of Somerville whose term expired.

Members, Texas Board of Architectural Examiners: For a six-year term to expire June 21, 1979: Mr. Bill Cantrell of Lubbock, Lubbock County is replacing Mr. George H. Loving of Abilene whose term expired; Mr. Howard Wong of San Antonio, Bexar County is replacing Mr. Theodore S. Maffitt, Jr. of Palestine whose term expired.

Members, Dairy Advisory Board: For a two-year term to expire December 31, 1974: Mr. C. E. Knolle of Sandia, Jim Wells County is being appointed to a new position; Mr. Byford W. Bain of San Antonio, Bexar County is being appointed to a new position.

Members, Advisory Council on Early Childhood Education: All appointed pursuant to House Bill 91, 63rd Legislature, Regular Session and for a two-year term to expire June 16, 1975: Dr. Glen A. French of Austin, Travis County; Mrs. Elizabeth F. Smith of Austin, Travis County; Dr. Alberta Castenada of Austin, Travis County; Dr. Vicki Davis of Commerce, Hunt County; Mrs. Mabel Pitts of Austin, Travis County; Mr. Bill Bollinger of San Angelo, Tom Green County; Mrs. Ninfa Guerra of Pharr, Hidalgo County; Mrs. Karen Quebe of Austin, Travis County; Mrs. Juanita Bridges of Houston, Harris County; Mrs. Martha Loeffler of Austin, Travis County; Mrs. Lucile Hampton of Marlin, Falls County; Dr. Roland Brauer of Corpus Christi, Nueces County; Dr. William S. Conkling of Navasota, Grimes County; Mrs. Lula Mae Paris of Austin, Travis County; Mr. Stuart Fisher of Austin, Travis County; Mr. John L. Barnett of Fort Worth, Tarrant County; Dr. Robert Holman of Baytown, Harris County; Mrs. Ann Oliver of Fort Worth, Tarrant County; Dr. Vivian A. Hicks of Fort Worth, Tarrant County is replacing Mrs. Ann Oliver of Fort Worth who resigned; Mrs. Betty Walker of Sherman, Grayson County; Dr. Gordon McKee of Houston, Harris County; Mrs. Annie McLain of Dallas, Dallas County; Dr. Robert L. Rock of Austin, Travis County; Dr. Jaime Quintanilla of Amarillo, Potter County; Dr. Thomas G. Bradfield of Austin, Travis County.

Members, Egg Marketing Advisory Board: For a six-year term to expire September 27, 1979: Mr. Edgar H. Burton of Lufkin, Angelina County is being reappointed; Mr. Jack M. Dubose of Gonzales, Gonzales County is being reappointed; Mr. Kervin E. Jacob of Houston, Harris County is replacing Mr. B. H. Hilley of Lamesa whose term expired.

For a six-year term to expire September 27, 1977: Mr. Ernest A. Mahard, Jr. of Prosper, Collin County is replacing Mr. Truman D. Craddock of Hamilton who is deceased.

Members, State Health Advisory Committee: For a three-year term to expire September 1, 1976: Dr. Cyrus B. Cathey of Hamilton, Hamilton County is being reappointed; Mrs. Edd Henard of Wellington, Collingsworth County is replacing Mrs. Rowden J. Cordell of Childress whose term expired; Mrs. J. M. Holloway of Austin, Travis County is being reappointed; Mrs. Emma Nugent of Orange, Orange County is replacing Mr. Robert M. Luby of San Antonio who resigned; Mr. Roderic M. Bell of Dallas, Dallas County is being reappointed; Mrs. H. L. Long of Kilgore, Gregg County is replacing Mrs. Earlene Fulmer of Austin whose term expired; Mrs. Marie Bynum of Longview, Gregg County is replacing Mrs. Emma Falk of Beaumont whose term expired; Mr. Rogers Wilson of Austin, Travis County is replacing Dr. Jack A. Bradley of San Antonio whose term expired; Mr. W. W. Manley of Terrell, Kaufman County is replacing Mr. B. L. Garza of Edinburg whose term expired; Dr. Maynard Hart of El Paso, El Paso County is being reappointed; Mrs. Elizabeth Jones of Houston, Harris County is being reappointed; The Reverend Claude Black of San Antonio, Bexar

County is replacing Ms. C. A. Miller of Austin whose term expired; Mr. Domingo Pena of Corpus Christi, Nueces County is replacing Mr. Josh R. Morriss, Sr. of Texarkana whose term expired; Mr. Ernest Coker, Jr. of Conroe, Montgomery County is replacing Mr. Jack L. Rogers of El Paso whose term expired; Mr. Ronnie Boules of Pecos, Reeves County is replacing Mrs. K. C. Townsend of Victoria whose term expired; Mr. Ed Baker of Arlington, Tarrant County is replacing Mr. Joe B. Winston of Mercedes whose term expired.

Members, Advisory Hospital Council: For a six-year term to expire July 17, 1979: Dr. Joseph T. Ainsworth of Houston, Harris County is being reappointed; Dr. James A. Hallmark of Fort Worth, Tarrant County is replacing Dr. Emerson Emory of Dallas whose term expired; Dr. A. J. Gill of Dallas, Dallas County is being reappointed; Mr. Robert P. Gordon of San Angelo, Tom Green County is being reappointed.

For a six-year term to expire July 17, 1975: Sister Austin Cusimano of Waco, McLennan County is replacing Sister Mary David of Houston who resigned.

For a six-year term to expire July 16, 1977: Mr. David A. Garrett of San Antonio, Bexar County is replacing Mr. Edward S. Reese of Gonzales who resigned.

Members, State Seed and Plant Board: For a two-year term to expire October 6, 1975: Dr. Morris E. Bloodworth of Bryan, Brazos County is being reappointed; Dr. Harold E. Dregne of Lubbock, Lubbock County is being reappointed; Mr. Douglas Conlee of Waco, McLennan County is being reappointed.

Members, Texas Structural Pest Control Board: For a two-year term to expire August 30, 1975: Mr. George Novy, Jr. of Dallas, Dallas County is replacing Mr. Vernon Walter of Harlingen whose term expired; Mr. L. Leo Holder of Houston, Harris County is replacing Mr. Ralph S. Abel of Dallas whose term expired; Mr. William Spitz of Houston, Harris County is replacing Mr. Norman L. Maderer of Houston whose term expired; Mr. W. D. Bedingfield of Corpus Christi, Nueces County is replacing Mr. Don E. Stroope of Waxahachie whose term expired.

Members, Board of Directors of The Texas A&M University System: For a six-year term to expire January 10, 1981: Mr. Joe H. Reynolds of Houston, Harris County is being reappointed; Mr. Alfred I. Davies of Dallas, Dallas County is replacing Mr. Ford Albritton, Jr. of Bryan, Brazos County whose term expired; Mr. Ross C. Watkins of Uvalde, Uvalde County is replacing Mr. L. F. Peterson of Fort Worth, Tarrant County whose term expired.

Question next on the confirmation of Mr. J. H. Jemison and Mr. Frank Joseph to be members of the Texas Cosmetology Commission, the nominees were confirmed by the following vote: Yeas 30, Nays 0, 1 Present-Not Voting.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Present-Not Voting: Ogg.

#### SENATE BILL 258 ON SECOND READING

Senator Jones moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that S.B. 258 be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 30, Nays 0, 1 Present-Not Voting.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Present-Not Voting: Ogg.

The President laid before the Senate on its second reading and passage to engrossment:

**S.B. 258**, A bill to be entitled An Act relating to writing home warranty insurance as defined in this Act; amending Chapters 5 and 6, Insurance Code, as amended, by adding Articles 5.53-A and 6.01-A and amending Section 3, Article 21.28-C, Insurance Code; and declaring an emergency.

The bill was read second time.

Senator Jones offered the following Committee Amendment to the bill:

Amend Section 1 of Senate Bill 258 by deleting Section 1 of quoted Article 5.53-A and substituting in lieu thereof the following:

"Sec. 1. Any company licensed to engage in the business of fire insurance and its allied lines, or marine insurance, or both, is authorized to write home warranty insurance in Texas. Home warranty insurance is not inland marine insurance, but shall be governed in the same manner and to the same extent as inland marine insurance."

Amend Section 2 of Senate Bill 258 by deleting Section 1 of quoted Article 6.01-A and substituting in lieu thereof the following:

"Sec. 1. Every company writing home warranty insurance in Texas shall maintain a reinsurance or unearned premium reserves on all policies in force."

The Committee Amendment was read and was adopted.

On motion of Senator Jones and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### SENATE BILL 258 ON THIRD READING

Senator Jones moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 258** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0, 1 Present-Not Voting.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Present-Not Voting: Ogg.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0, 1 Present-Not Voting.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Present-Not Voting: Ogg.

#### **SENATE BILL 364 ON SECOND READING**

Senator Moore moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that **S.B. 364** be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 25, Nays 3.

Yeas: Adams, Aikin, Braecklein, Brooks, Clower, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman and Williams.

Nays: Andujar, Creighton and Snelson.

Absent: McKinnon, McKnight and Traeger.

The President laid before the Senate on its second reading and passage to engrossment:

**S.B. 364**, A bill to be entitled An Act relating to the reappropriation of certain funds to certain institutions of higher education; amending Section 21, Article IV, Chapter 659, Acts of the 64th Legislature, Regular Session, 1973; and declaring an emergency.

The bill was read second time and was passed to engrossment.

#### **RECORD OF VOTE**

Senator Creighton asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

#### **SENATE BILL 364 ON THIRD READING**

Senator Moore moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 364** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 3.

Yeas: Adams, Aikin, Braecklein, Brooks, Clower, Doggett, Farabee, Gammage, Hance, Harrington, Jones, Kothmann, Lombardino, Longoria, Mauzy, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman and Williams.

Nays: Andujar, Creighton and Snelson.

Absent: Harris, McKinnon, McKnight and Traeger.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 25, Nays 2.

Yeas: Adams, Aikin, Braecklein, Brooks, Clower, Doggett, Farabee, Gammage, Hance, Harrington, Jones, Kothmann, Lombardino, Longoria, Mauzy, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson and Williams.

Nays: Andujar and Creighton.

Absent: Harris, McKinnon, McKnight and Traeger.

#### **CO-AUTHOR OF SENATE BILL 350**

On motion of Senator Ogg and by unanimous consent, Senator Clower will be shown as Co-author of **S.B. 350**.

#### **CO-AUTHOR OF SENATE JOINT RESOLUTION 35**

On motion of Senator Mengden and by unanimous consent, Senator Clower will be shown as Co-author of **S.J.R. 35**.

#### **SENATE BILL 363 ON SECOND READING**

Senator Moore moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that **S.B. 363** be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

The President laid before the Senate on its second reading and passage to engrossment:

**S.B. 363**, A bill to be entitled An Act amending Subchapter B, Chapter 87, Texas Education Code, by adding a new Section 87.103 so as to place 110 acres, more or less, of land in Waller County near Prairie View A&M University under the control and supervision of the Board of Directors of The Texas A&M University System, for the use and benefit of Prairie View A&M University; authorizing the board of directors

to lease the land for mineral development and to apply the proceeds to the use and benefit of Prairie View A&M University; and declaring an emergency.

The bill was read second time and was passed to engrossment.

#### **SENATE BILL 363 ON THIRD READING**

Senator Moore moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 363** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

#### **MESSAGE FROM THE HOUSE**

Hall of the House of Representatives  
Austin, Texas, February 27, 1975

Honorable William P. Hobby  
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

**H.B. 222**, A bill to be entitled An Act relating to compensation of members of certain juvenile boards; amending Section 1, Chapter 374, Acts of the 54th Legislature 1955 (Article 5139H-1, Vernon's Texas Civil Statutes); and declaring an emergency.

**H.B. 679**, A bill to be entitled An Act requiring certain political parties to hold presidential primary elections and prescribing the method for selecting delegates to national nominating conventions of those parties; amending the Texas Election Code by adding Section 235a; and declaring an emergency.

**H.C.R. 67**, Recognizing Don Jose Antonio Navarro Week--February 22 to March 1, 1975.

**H.C.R. 33**, Directing certain agencies to mark the boundaries of the Canadian River.



Respectfully submitted,  
DOROTHY HALLMAN  
Chief Clerk, House of Representatives

#### SENATE BILL 204 ON SECOND READING

Senator Doggett moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that **S.B. 204** be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 26, Nays 0.

Yeas: Adams, Aikin, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Jones, Kothmann, Lombardino, Longoria, Mauzy, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson and Williams.

Absent: Andujar, Harris, McKinnon, McKnight and Traeger.

The President laid before the Senate on its second reading and passage to engrossment:

**S.B. 204**, A bill to be entitled An Act amending Section 3.11, Texas Mental Health and Mental Retardation Act, as amended (Section 3.11, Article 5547-203, Vernon's Texas Civil Statutes); authorizing community centers for mental health and mental retardation services to acquire real and personal property; and declaring an emergency.

The bill was read second time.

Senator Aikin offered the following amendment to the bill:

Amend **S.B. 204** by adding the words "Mental Health" between the words "Community" and "Center" in Section 1.

The amendment was read and was adopted.

On motion of Senator Doggett and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### SENATE BILL 204 ON THIRD READING

Senator Doggett moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 204** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson and Williams.

Nays: Lombardino.

Absent: McKinnon, McKnight and Traeger.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson and Williams.

Nays: Lombardino.

Absent: McKinnon, McKnight and Traeger.

#### **MOTION TO PLACE SENATE BILL 205 ON SECOND READING**

Senator Doggett moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that **S.B. 205** be taken up for consideration at this time.

**S.B. 205**, A bill to be entitled An Act amending statutes authorizing the Texas Department of Mental Health and Mental Retardation to make transfers of personal property to community centers for mental health and mental retardation services; and declaring an emergency.

The motion was lost by the following vote (not receiving four-fifths vote of the Members of the Senate): Yeas 24, Nays 5.

Yeas: Aikin, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman and Williams.

Nays: Adams, Andujar, Meier, Mengden and Snelson.

Absent: McKinnon and Traeger.

#### **NOTICES OF INTENT**

The following Notices of Intent were filed with the Secretary of the Senate:

Monday, March 3, 1975

**S.B. 67** - Senator Jones

**S.B. 205** - Senator Doggett

**S.B. 275** - Senator McKinnon

**S.B. 300** - Senator Snelson

**S.B. 400** - Senator Lombardino

**S.B. 408** - Senator Moore

**H.B. 661** - Senator Aikin

**MEMORIAL RESOLUTIONS**

**H.C.R. 28** - Memorial resolution for R. E. McGee.

**H.C.R. 43** - Memorial resolution for Garwood Jennings Gerdes.

**S.R. 231** - By Senator Adams: Memorial resolution for Mrs. A. L. "Gracie" Tucker.

**S.R. 235** - By Senator Adams: Memorial resolution for The Honorable W. F. H. (Frank) Barnes.

**S.R. 236** - By Senator Adams: Memorial resolution for The Reverend H. B. (Doc) Mason.

**S.R. 237** - By Senator Adams: Memorial resolution for Charles Ray Johnson.

**CONGRATULATORY RESOLUTIONS**

**H.C.R. 31** - Designating first day of Spring as "Mockingbird Day".

**H.C.R. 63** - Extending congratulations to Hilary B. Doran.

**ADJOURNMENT**

On motion of Senator Aikin the Senate at 12:13 o'clock a.m. adjourned until 11:00 o'clock a.m., March 3, 1975.